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30 September 2025

Cameron Ashe
Department of Planning, Housing and Infrastructure

Via: Major Projects Portal

Cobbara Solar Farm SSD-29491142
EPA Comment on Environmental Impact Statement

Dear Cameron

I refer to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on the Cobbara Solar Farm SSD-29491142. The EPA understands that the proposal includes:

- Construction and Operation of a 700 MW solar farm.
- Installation of a 400 MW/1,600 MWh Battery Energy Storage System.
- Ancillary infrastructure including substations, overhead and underground cabling, offices, water storage tanks and internal roads.

Based on the information provided, the EPA considers:

- the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act* (1997) and so, will not require an Environment Protection Licence under this Act.
- the proposal is not being undertaken by or on behalf of a NSW Public Authority, nor are there activities for which the EPA is the appropriate regulatory authority.
- the site is not being regulated by the EPA under the *Contaminated Land Management Act* (1997).

The EPA understands that there are several other solar and/or battery energy storage facilities within the same region as the proposed development. To help manage waste appropriately, the EPA recommends that the Department of Planning, Housing and Infrastructure consider the conditions in **Attachment A** in their assessment.

Additionally, an Environment Protection Licence is required to transport higher risk wastes, such as some waste batteries, which must be classified under EPA's waste classification guidelines. Waste tracking requirements may also apply. If waste batteries are considered dangerous goods, transport must also comply with the *Dangerous Goods (Road and Rail Transport) Act 2008*.

The EPA recommends that you consult with both Warrumbungle Shire Council and Dubbo Regional Council who will be the appropriate regulatory authorities for the proposed development under the POEO Act if approved.

NSW Environment Protection Authority
As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

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Please contact Nick Vlasoff at environmentprotection.planning@epa.nsw.gov.au if you wish to discuss this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gabby Sutherland', with a long horizontal flourish extending to the right.

Gabby Sutherland
A/Unit Head – Environment Protection Planning
NSW Environment Protection Authority

Attachment A – EPA recommended conditions (Cobbora Solar Farm SSD-29491142)

1. Waste generated during construction, operation, upgrading and decommissioning must be dealt with in accordance with the following priorities:
 - a) Waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced.
 - b) Where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered.
 - c) Where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of.
2. The importation of waste and storage, treatment, processing, reprocessing or disposal of such waste must comply with the *Protection of the Environment Operations Act 1997*, the *Protection of the Environment Operations (Waste) Regulation 2014*, and orders and exemptions under the regulation.
3. Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the *Protection of the Environment Operations (Waste) Regulation 2014*, or to any other place that can lawfully accept such waste.
4. All waste that is removed from site must be classified in accordance with the EPA's Waste Classification Guidelines, with appropriate records and disposal dockets retained for audit purposes.
5. The Proponent should prepare and implement a Waste and Resource Recovery Management Plan for the project to the satisfaction of the Secretary, prior to the commencement of operation. This program must:
 - a) Be prepared in consultation with Warrumbungle Shire Council and Dubbo Regional Council.
 - b) Be approved by the Secretary prior to commencement of operation; and include in the plan:
 - Details of the quantity, type and source of waste received.
 - Details of the quantity, type and quality of the waste produced and their intended fate.
 - Details of the intended fates of all other waste and materials received/produced on site which are not suitable for re-use.
 - Details of any materials produced which will require a specific Resource Recovery Order.
 - Details of any materials produced under a Resource Recovery Order, and the controls/procedures in place for meeting the conditions of that order.
 - Details of any testing/monitoring procedures.
 - Details of how materials segregation will be achieved, particularly the segregation of contaminated soil and resource recovery material.
 - The capability of the waste management facilities in Warrumbungle Shire Council and Dubbo Regional Council to accept the volumes of waste predicted to be deposited and any associated approvals required to create and/or expand waste storage or disposal facilities.
 - Any infrastructure that may be required at any waste facilities that are proposed to be created and/or expanded to receive additional volumes of waste from the project.